

Amendment No. 1 to HB1651

Howell
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-7-208(b)(2), is amended by deleting the subdivision and substituting instead the following:

(2) When the use permitted to continue to expand or to be rebuilt pursuant to this section is an outdoor advertising device, as defined in § 54-21-102, such use does not preclude a new or additional conforming use or structure on the property on which the sign structure is located or on an adjacent property under the same ownership; provided, however, that such new or additional use or structure does not result in violations of the applicable zoning restrictions other than those nonconformities associated with the outdoor advertising device as allowed under this subdivision (b)(2).

SECTION 2. Tennessee Code Annotated, Section 13-7-208(c), is amended by deleting the following language:

and construct additional facilities which involve an actual continuance and expansion of the activities of the industry or business which were permitted and being conducted prior to the change in zoning

and substituting instead the language:

and construct additional facilities with current structural and illumination technologies that involve an actual continuance and expansion of the activities of the industry or business that were permitted and being conducted prior to the change in zoning

SECTION 3. Tennessee Code Annotated, Section 13-7-208(d)(1), is amended by deleting the following language:

shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business subsequent to the zoning change and substituting instead the language:

are allowed to destroy present facilities and reconstruct new facilities with current structural and illumination technologies necessary to the conduct of such industry or business subsequent to the zoning change

SECTION 4. Tennessee Code Annotated, Section 13-7-208(h), is amended by deleting the following language:

Subsections (b)-(d) shall apply to an off-site sign which, for the purposes of this subsection (h), means any sign that advertises or gives direction to any business, product, service, attraction, or any other purpose or interest, other than the industrial, commercial or other business establishment located on the site where the sign is located; provided, however, that any expansion shall be limited as follows

and substituting instead the language:

Subsections (b)-(d) apply to an outdoor advertising device, as defined in § 54-21-102, that advertises or gives direction by means of illumination or non-illumination to a business, product, service, attraction, or other purpose or interest, other than the industrial, commercial, or other business establishment located on the site where the outdoor advertising device is located; provided, however, that an expansion or rebuilt means of illumination must be limited as follows

SECTION 5. Tennessee Code Annotated, Section 13-7-208(h), is amended by deleting the language "off-site sign" wherever it appears and substituting instead the language "outdoor advertising device"; and deleting the language "the sign" in subdivision (7) and substituting instead the language "the outdoor advertising device".

SECTION 6. Tennessee Code Annotated, Section 13-7-208(h), is amended by adding the following as a new subdivision:

() Any operation, rebuilding, or expansion of an outdoor advertising device involving a change in the means of illumination must meet all applicable requirements found in § 54-21-119(h).

SECTION 7. Tennessee Code Annotated, Section 13-7-208(i), is amended by deleting the subdivision and substituting instead the following:

Notwithstanding subsection (d), any structure rebuilt on the site must conform to the existing zoning regulations as to setbacks, height, bulk, lighting, or requirements as to the physical location of a structure upon the site; provided, that this subsection (i) shall not apply to outdoor advertising devices.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.